At a Regular Meeting of the Town Council of the Town of Middletown, RI held at the Middletown Town Hall on Monday, November 5, 2012 at 6:00 P.M.

**Council President Arthur S. Weber, Jr., Presiding** 

Vice President Bruce J. Long

**Councillor Richard Cambra** 

**Councillor Christopher T. Semonelli** 

**Councillor Antone C. Viveiros** 

Councillor Barbara A. VonVillas, Members Present

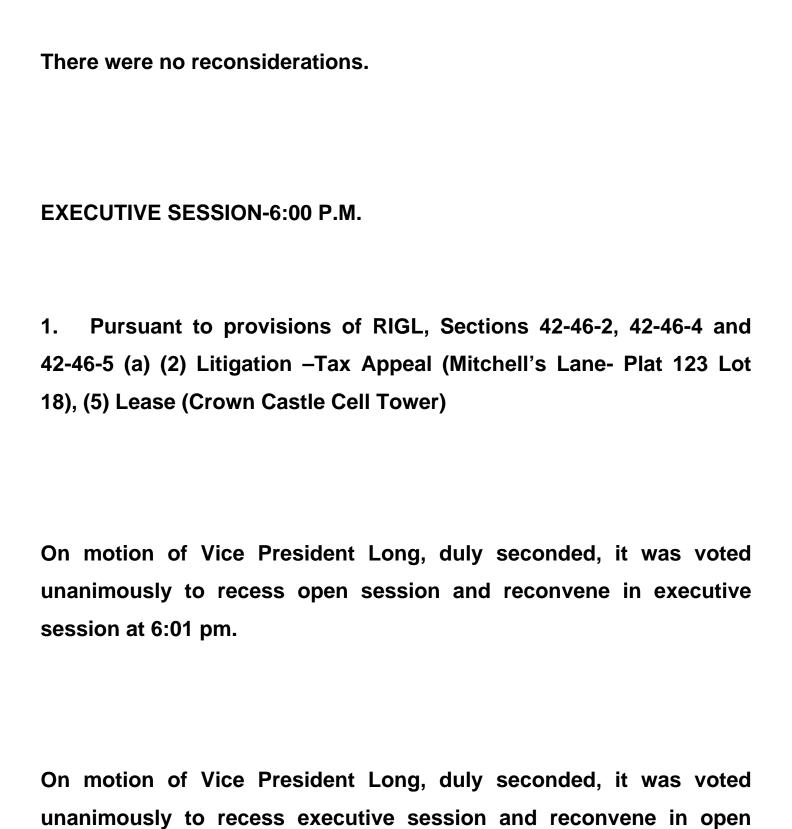
Councillor Edward J. Silveira, Jr., Absent

PLEDGE OF ALLEGIANCE TO THE FLAG

#### RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)



session at 7:00 pm.

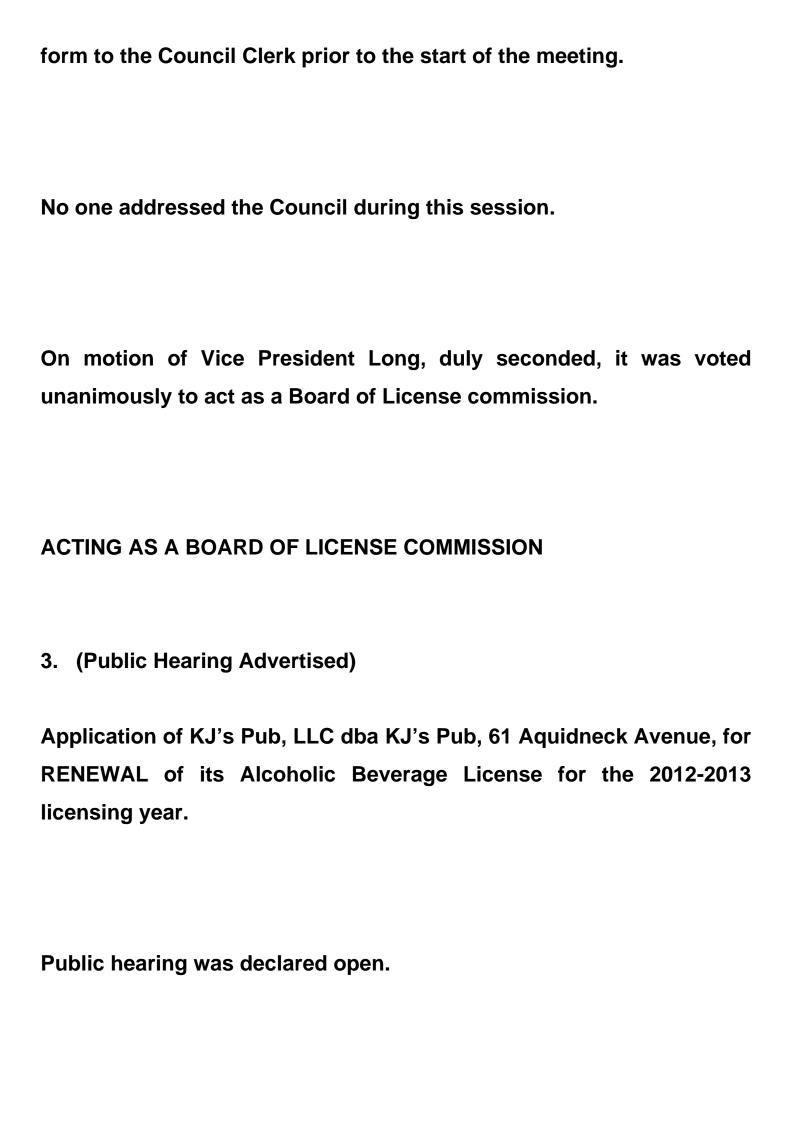
On motion of Vice President Long, duly seconded, it was voted unanimously to approve the Tax Appeal settlement.

On motion of Vice President Long, duly seconded, it was voted unanimously to authorize letter of agreement to be executed by Finance Director, after review by the Town Solicitor.

On motion of Vice President Long, duly seconded, it was voted unanimously to seal the executive session minutes pursuant to Section 42-46-7. RIGL.

#### **PUBLIC FORUM SESSION**

2. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation



There being no person present desiring to be heard, public hearing was declared closed.
On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license.
4. Application of St. Lucy's Church, 909 West Main Road, for a Class F-1 Alcoholic Beverage License for use at the same premises - Event December 1, 2012.
On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license.
On motion of Vice President Long, duly seconded, it was voted unanimously to reconvene as a Town Council.

### **CONSENT**

5. Approval of Minutes, re: Regular Meeting, October 15, 2012.

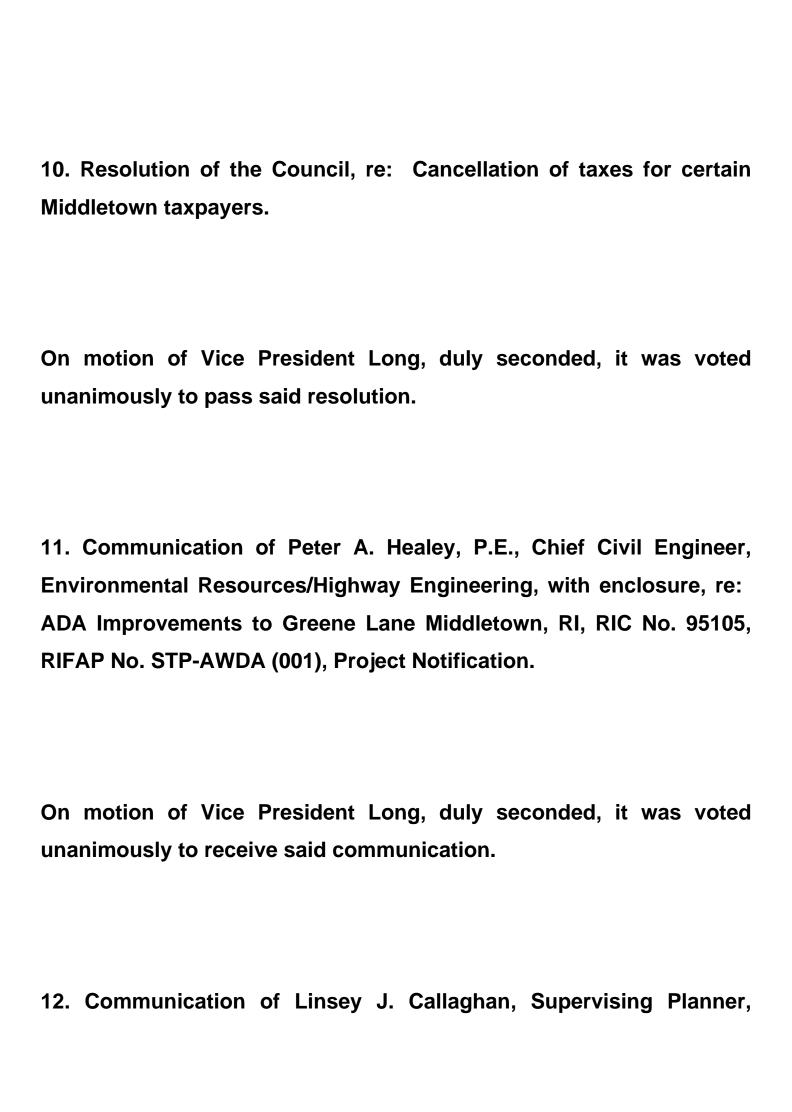
On motion of Vice President Long, duly seconded, it was voted unanimously to approve said minutes.

6. Memorandum of Finance Director thru Town Administrator, with enclosure, re: FY2013 Municipal Financial Report – Quarter ending September 30, 2012.

On motion of Vice President Long, duly seconded, it was voted unanimously to receive said memorandum and report.

7. Communication of Finance Director, with enclosure, re:

Cancellation of taxes for certain Middletown taxpayers.
On motion of Vice President Long, duly seconded, it was voted unanimously to receive said communication.
8. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.
On motion of Vice President Long, duly seconded, it was voted unanimously to pass said resolution.
9. Communication of Tax Assessor, with enclosure, re: Cancellation of taxes for certain Middletown taxpayers.
On motion of Vice President Long, duly seconded, it was voted unanimously to receive said communication.



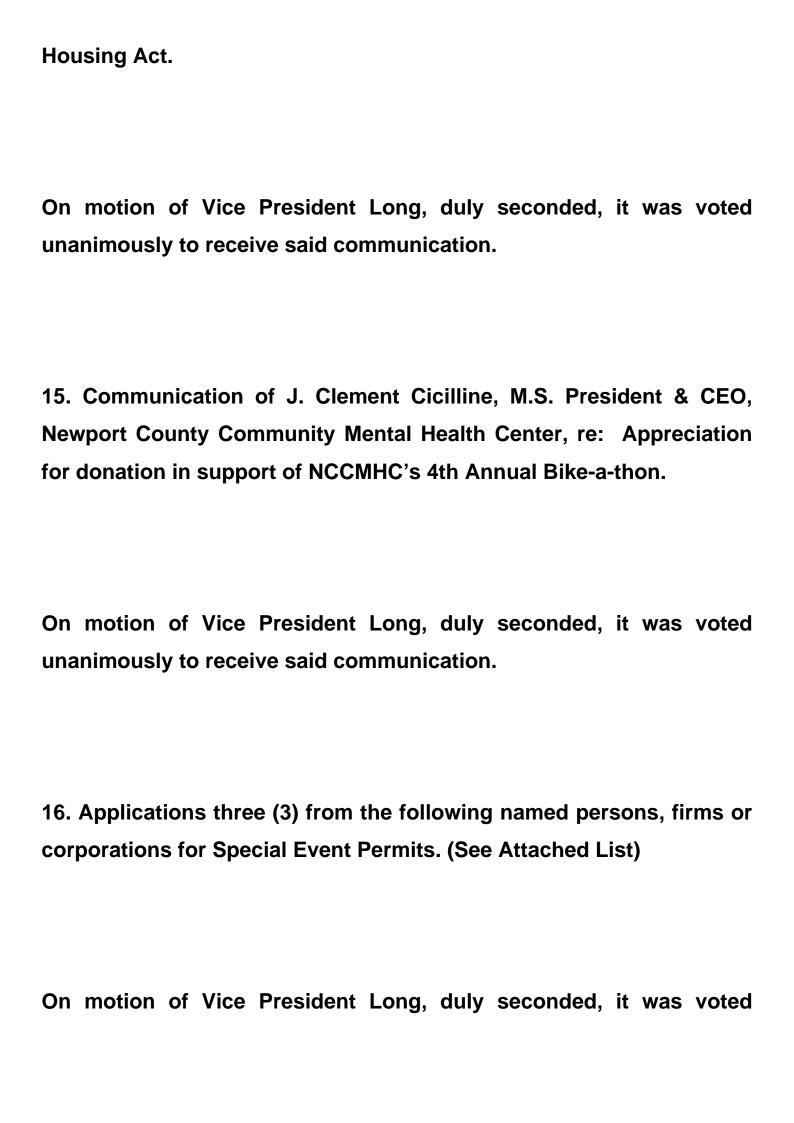
Department of Administration, Division of Planning, re: Highway Functional Classification Amendment, Town of Middletown – Greene Lane.

On motion of Vice President Long, duly seconded, it was voted unanimously to receive said communication.

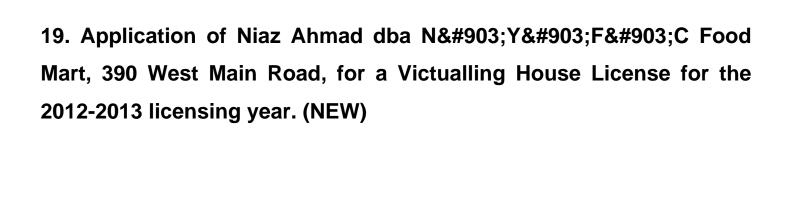
13. Communication of Luis Rodriguez, P.E., Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, with enclosures, re: Case No. 13-01-0219A – Determination if 969 West Main Road is within an identified Special Flood Hazard Area.

On motion of Vice President Long, duly seconded, it was voted unanimously to receive said communication.

14. Communication of Town Clerk, Town of Charlestown, with enclosures, re: Resolution in support of Low and Moderate Income



unanimously to grant said Special Event permits.
17. Applications received from the following named persons, firms or corporations for RENEWAL of Victualling House Licenses, for the 2012-2013 licensing year. (See attached list)
On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license renewals.
LICENSES
18. Application of James J. Gaston, Middletown for a Private Detective License for the 2012-2013 licensing year. (NEW)
On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license.



On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license contingent on Building Official, Fire Marshal, Public Works and Board of Health approvals.

20. Application of Niaz Ahmad dba N·Y·F·C Food Mart, 390 West Main Road, for a Holiday License for the 2012-2013 licensing year. (NEW)

On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license.

21. Application of Nutrition Ambition, LLC dba Daily Shake, 883 West

Main	Road,	for	а	Victualling	House	License	for	the	2011-2012
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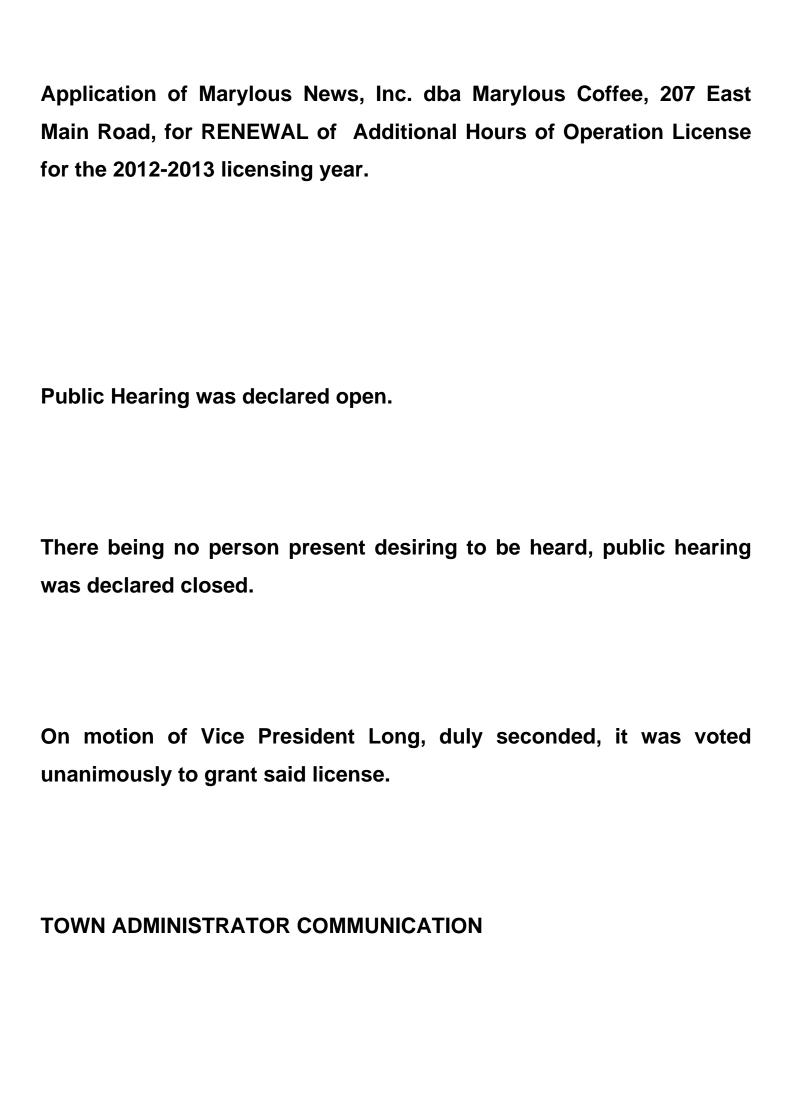
On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license contingent on Building Official, Fire Marshal, Public Works and Board of Health approvals.

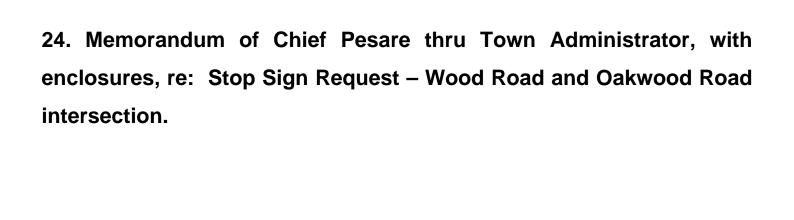
22. Application of Nutrition Ambition, LLC dba Daily Shake, 883 West Main Road, for RENEWAL Victualling House License for the 2012-2013 licensing year.

On motion of Vice President Long, duly seconded, it was voted unanimously to grant said license renewal.

## **PUBLIC HEARING**

# 23. (Public Hearing Advertised)



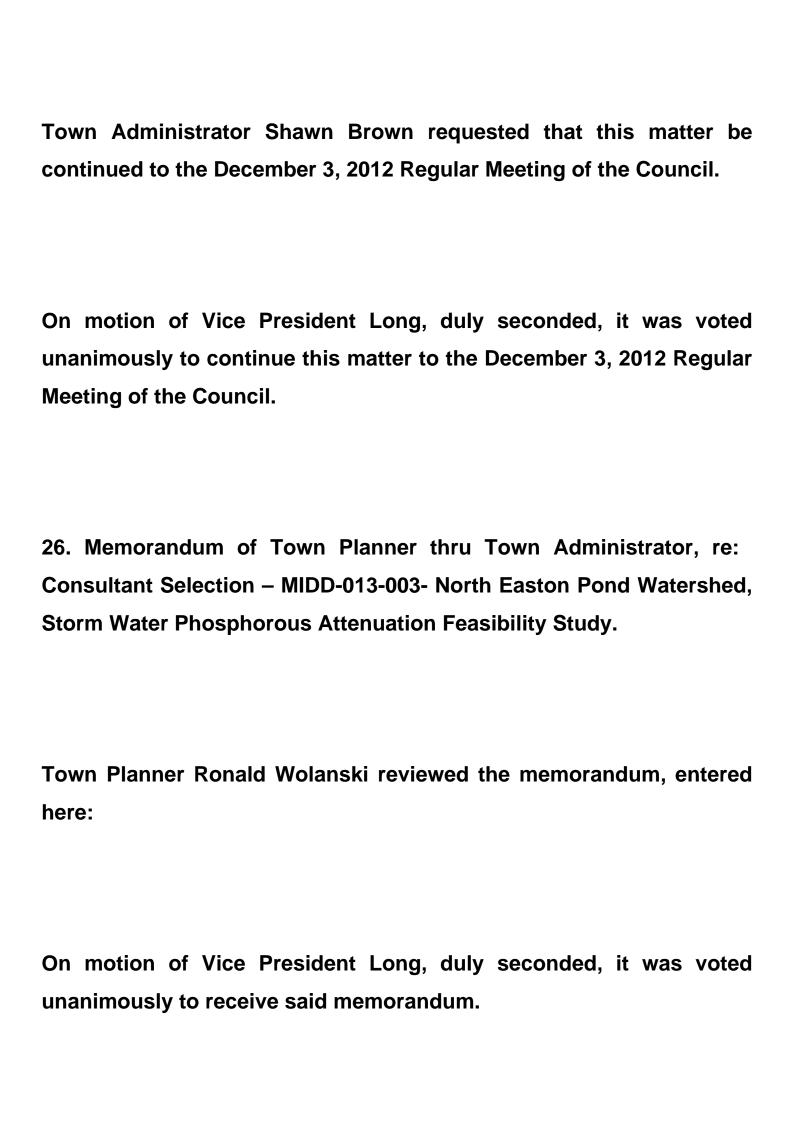


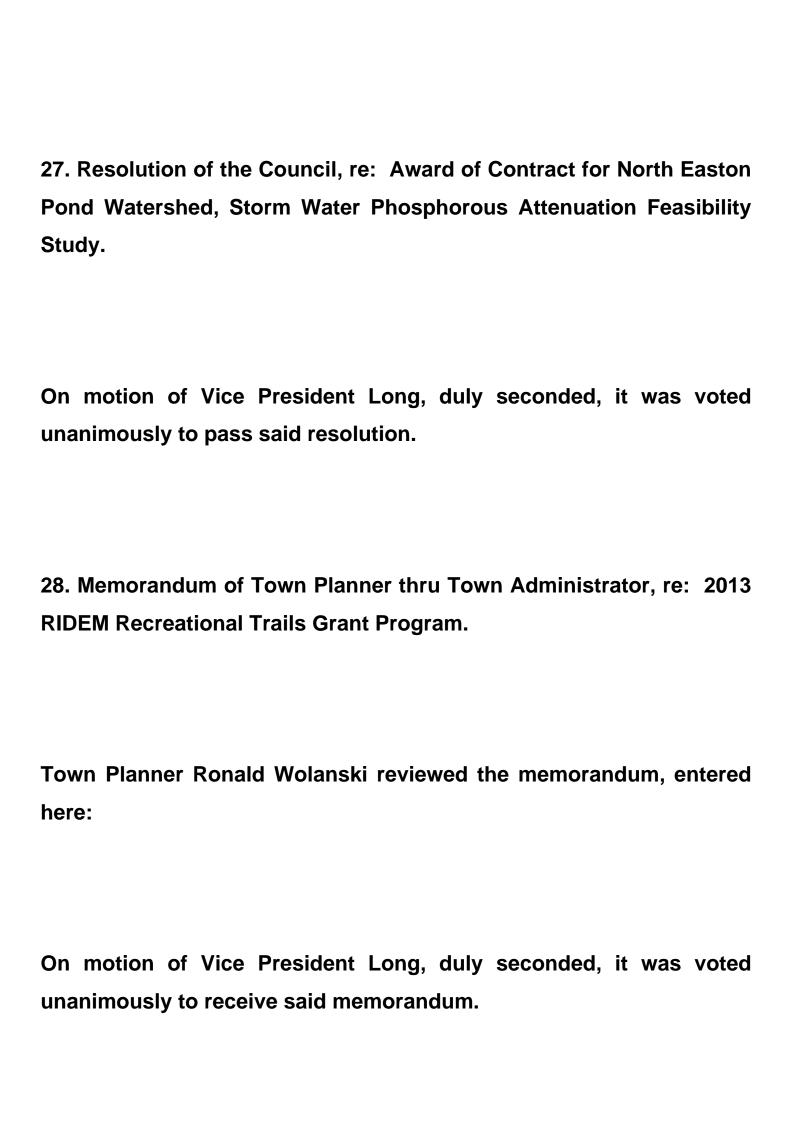
On motion of Vice President Long, duly seconded, it was voted unanimously to receive said memorandum.

On motion of Vice President Long, duly seconded, it was voted unanimously to direct the Town Clerk to prepare an ordinance for December 3, 2012 Regular Meeting of the Council.

25. Memorandum of Chief Pesare thru Town Administrator, with enclosures, re: Traffic Study of intersection Wolcott Avenue and Reservoir Road.

On motion of Vice President Long, duly seconded, it was voted unanimously to receive said communication.





29. Resolution of the Council, re: Authorizing submission of RIDEM Recreational Trails Grants applications.
On motion of Vice President Long, duly seconded, it was voted unanimously to pass said resolution.
APPOINTMENTS TO BOARDS & COMMITTEES
Council President Weber recused himself from acting on the following items of business.
30. Appointment of one (1) member to the Middletown School Committee for a term expiring November 2014.

Vice President Long Presiding
On motion of Vice President Long, duly seconded, it was voted unanimously to receive said memorandum.
Vice President Long reviewed the process followed to fill the School Committee term.
Councillor Semonelli noted that it was a difficult decision, explaining that all candidates were highly qualified.
Councillor Semonelli nominated Paul Mankofsky, duly seconded.
Councillor Cambra nominated Timothy Brown, duly seconded.

On motion of Vice President Long, duly seconded, it was voted unanimously to close nominations.

At vote was taken to appoint Paul Mankofsky to fill the School Committee term expiring November 2014; All in Favor.

**Council President Weber Presiding** 

Councillor Cambra thanked residents for the opportunity to serve the community. Mr. Cambra also thanked all Town Elected Officials and appointed employees for their support and assistance.

Council President Weber noted it has been a pleasure to serve the community. Mr. Weber also thanked all Town Elected Officials and appointed employees for their support and assistance.

Vice President Long thanked the residents of Middletown for letting him serve them.
On motion of Vice President Long, duly seconded, it was voted unanimously to adjourn said meeting at 7:25 pm.
Wendy J.W. Marshall, CMC
Council Clerk
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